

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN WALSH, III,

Plaintiff,

v.

DR. JOSEPH LEO, et al.,

Defendants.

NO. 3:16-CV-961

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW, this 12th day of September, 2016, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 5) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 5) is **ADOPTED in part and REJECTED in part**.
- (2) Plaintiff's Motion for Summary Judgment (Doc. 4) is **DENIED**.
- (3) The Complaint (Doc. 1) is **DISMISSED with prejudice**.
- (4) Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. 2) is **DENIED as moot**.
- (5) An order to show cause is **NOT ISSUED**.
- (6) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge